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Attorneys for United States Fidelity and Guaranty Company

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE**

UNITED STATES OF AMERICA for the use of NORTH
STAR TERMINAL & STEVEDORE COMPANY, d/b/a
NORTHERN STEVEDORING & HANDLING, and NORTH
STAR TERMINAL & STEVEDORE COMPANY, d/b/a
NORTHERN STEVEDORING & HANDLING, on its own
behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of SHORESIDE
PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE,
and SHORESIDE PETROLEUM, INC., d/b/a
MARATHON FUEL SERVICE, on its own behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER ROCK
PRODUCTS, INC.; UNITED STATES FIDELITY AND
GUARANTY COMPANY; and ROBERT A. LAPORE,

Defendants.

No. 3:98-cv-9 (TMB)

AFFIDAVIT OF COUNSEL

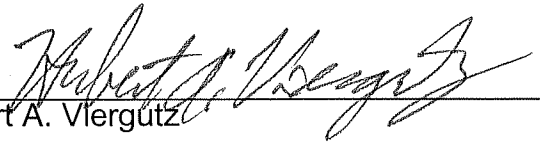
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Herbert A. Viergutz, being first duly sworn upon oath, deposes and states as follows:

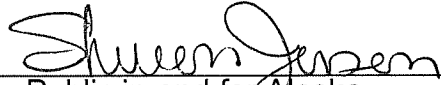
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- BAROKAS MARTIN & TOMLINSON
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FURTHER YOUR AFFIANT SAYETH NAUGHT.

Dated this 28th day of August, 2006.


Herbert A. Viergutz

SUBSCRIBED AND SWORN TO before me this 28th day of August, 2006.


Notary Public in and for Alaska
My Commission Expires: 11/17/06

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document was served by electronic notification on this 28th day of August, 2006, to:

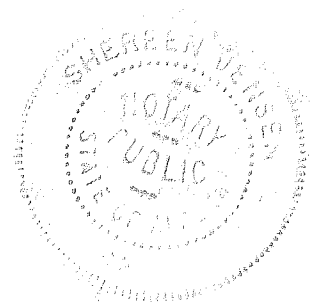
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s/ Herbert A. Viergutz



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